

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GEORGE CATER and CHERYL CATER,  
Plaintiffs,

v.

STARBUCKS CORPORATION, et al.,  
Defendants.

Civil Action No. 07-2660

**ORDER**

August 10, 2010

Pollak, J.

AND NOW, this 10th day of August, 2010, for the reasons stated in the accompanying memorandum, it is hereby ORDERED that Starbucks' motion for summary judgment against George and Cheryl Cater, based upon an open, obvious, and known condition and the doctrine of assumption of risk (docket no. 89) is DENIED.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.